



10/082,807

H 3

**COMBINED DECLARATION AND POWER OF ATTORNEY
FOR A PATENT APPLICATION**

INVENTORSHIP IDENTIFICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below, next to my name.

I believe I am the original, first, and sole inventor (if only one name is listed below) or an original, first, and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

TITLE OF INVENTION

ANNOTATION BASED DEVELOPMENT PLATFORM FOR ASYNCHRONOUS WEB SERVICES

SPECIFICATION IDENTIFICATION

the specification of which

_____ is attached hereto.
 was filed on February 22, 2002 as
 United States Application 10/082,807
 or PCT International Application Number _____
 and was amended on _____.
 (if applicable)

ACKNOWLEDGEMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claim(s), as amended by any amendment referred to above.

I acknowledge the duty to disclose all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

PRIORITY CLAIM (35 U.S.C. § 119(a)-(d))

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d), of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

<u>Prior Foreign Application(s)</u>			<u>Priority Claimed</u>
(Number)	(Country)	(Day/Month/Year Filed)	Yes No

I hereby claim the benefit under title 35, United States Code, Section 119(e) of any United States provisional application(s) listed below

60/302,981 (Application Number)	07/02/01 (Filing Date)

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

(Application Number)	(Filing Date)	(Status - patented, pending, abandoned)

POWER OF ATTORNEY

I hereby appoint Aloysius T. C. AuYeung, Reg. No. 35,432; Robert H. Chang, Reg. No. 48,765; Robert A. Diehl, Reg. No. 40,992; Jason K. Klindtworth, Reg. No. 47,211; Robert T. Watt, Reg. No. 45,890; James Douglas Wells, Reg. No. 50,477; Raymond J. Werner, Reg. No. 34,752, as my patent attorney/agent; with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith.

Send correspondence to:	Direct telephone calls to: <i>(Name and telephone number)</i>
COLUMBIA IP LAW GROUP, PC 10260 SW Greenburg Road, Suite 820 Portland, Oregon 97223	Jason K. Klindtworth 503-595-2800

DECLARATION

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of Sole/First Inventor: David Bau, III

Inventor's Signature: _____ Date: _____
Residence: Gladwyne, PA 19035 Citizenship: USA
(City, State) _____ (Country) _____
Post Office Address: 415 Howard Road
Gladwyne, PA 19035

Full Name of Joint/Second Inventor: Adam Bosworth

Inventor's Signature: A. R. B. Date: MAR 18, 2002
Residence: Mercer Island, Washington Citizenship: USA
(City, State) _____ (Country) _____
Post Office Address: 934 SE 57th Street
Mercer Island, WA 98040

Full Name of Joint/Third Inventor: Gary S. Burd

Inventor's Signature: _____ Date: _____
Residence: Kirkland, Washington Citizenship: USA
(City, State) _____ (Country) _____
Post Office Address: 11411 NE 103rd Street
Kirkland, WA 98033

Full Name of Joint/Fourth Inventor: Roderick A. Chavez

Inventor's Signature: R. A. Chavez Date: 3/18/02
Residence: 325 7th Ave West, Kirkland, WA 98033 Citizenship: USA
(City, State) _____ (Country) _____
Post Office Address: 325 7th Ave West
Kirkland, WA 98033

Full Name of Joint/Fifth Inventor: Kyle W. Marvin

Inventor's Signature: K. W. Marvin Date: March 18, 2002
Residence: Issaquah, Washington Citizenship: USA
(City, State) _____ (Country) _____
Post Office Address: 25318 SE 36th Ct.
Issaquah, WA 98029

Title 37, Code of Federal Regulations, Section 1.56
Duty to Disclose Information Material to Patentability

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

- (1) Prior art cited in search reports of a foreign patent office in a counterpart application, and
 - (2) The closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.
- (b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and
- (1) It establishes, by itself or in combination with other information, a *prima facie* case of unpatentability of a claim; or
 - (2) It refutes, or is inconsistent with, a position the applicant takes in:
 - (i) Opposing an argument of unpatentability relied on by the Office, or
 - (ii) Asserting an argument of patentability.
- A *prima facie* case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.
- (c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:
- (1) Each inventor named in the application;
 - (2) Each attorney or agent who prepares or prosecutes the application; and
 - (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.
- (d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.
- (e) In any continuation-in-part application, the duty under this section includes the duty to disclose to the Office all information known to the person to be material to patentability, as defined in paragraph (b) of this section, which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.



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Prior Foreign Application(s)

Priority
Claimed

(Number)	(Country)	(Day/Month/Year Filed)	Yes	No

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Inventor's
Signature: _____ Date: _____

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Residence: Mercer Island, Washington Citizenship: _____
(City, State) : _____ USA
(Country)

Post Office Address: 934 SE 57th Street
Mercer Island, WA 98040

Full Name of Joint/Third Inventor: Gary S. Burd

Inventor's
Signature: Gary S. Burd Date: 14 May 2002

Residence: Kirkland, Washington Citizenship: _____
(City, State) : _____ USA
(Country)

Post Office Address: 11411 NE 103rd Street
Kirkland, WA 98033

Full Name of Joint/Fourth

Inventor: Roderick A. Chavez

Inventor's
Signature: _____ Date: _____

Residence: _____ Citizenship: _____
(City, State) : _____ (Country)

Post Office Address: _____

Full Name of Joint/Fifth Inventor: Kyle W. Marvin

Inventor's
Signature: _____ Date: _____

Residence: Issaquah, Washington : Citizenship _____
(City, State) USA _____

Post Office Address: 25318 SE 36th Ct.
Issaquah, WA 98029



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- (2) Each attorney or agent who prepares or prosecutes the application; and
- (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.

(e) In any continuation-in-part application, the duty under this section includes the duty to disclose to the Office all information known to the person to be material to patentability, as defined in paragraph (b) of this section, which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

Attorney's Docket No. 41016.P012 OF PAPERS
ORIGINALLY FILED

JUN 04 2002

Patent

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FOR A PATENT APPLICATION****INVENTORSHIP IDENTIFICATION**

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ORIGINALLY FILED**PRIORITY CLAIM (35 U.S.C. § 119(e)(d))**

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(Name and telephone number)

**Jason K. Klindtworth
503-595-2800**

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Full Name of Sole/First

Inventor: David Bau, III
 Inventor's Signature: 
 Residence: Gladwyne, PA 19035 Date: 5/13/02
 (City, State) Citizenship: USA
 (Country)

Post Office Address:

415 Howard Road
Gladwyne, PA 19035

Full Name of Joint/Second

Inventor: Adam Bosworth
 Inventor's Signature:
 Residence: Mercer Island, Washington Date: USA
 (City, State) Citizenship: USA
 (Country)

Post Office Address:

934 SE 57th Street
Mercer Island, WA 98040

Full Name of Joint/Third

Inventor: Gary S. Burd
 Inventor's Signature:
 Residence: Kirkland, Washington Date: USA
 (City, State) Citizenship: USA
 (Country)

Post Office Address:

11411 NE 103rd Street
Kirkland, WA 98033

Full Name of Joint/Fourth

Inventor: Roderick A. Chavez

Inventor's
Signature: _____ Date: _____
Residence: _____ Citizenship: _____
(City, State) (Country)
Post Office
Address: _____

**Full Name of Joint/Fifth
Inventor:** Kyle W. Marvin
Inventor's
Signature: _____ Date: _____
Residence: Issaquah, Washington Citizenship: USA
(City, State) (Country)
Post Office
Address: 25318 SE 36th Ct.
Issaquah, WA 98029

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